

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

| | | |
|--------------------------------------|---|-----------------------------|
| DAMION RICKETTS, | : | |
| | : | |
| Plaintiff, | : | Civ. No. 16-4846 (KM) (MAH) |
| | : | |
| v. | : | |
| | : | |
| WEEHAWKEN POLICE DEPARTMENT, et al., | : | MEMORANDUM AND ORDER |
| | : | |
| Defendants. | : | |
| | : | |

This matter was previously administratively terminated because Plaintiff had not paid the filing fee and his application to proceed *in forma pauperis* was incomplete. Thereafter, Plaintiff filed another application to proceed *in forma pauperis* on the form for prisoners. Plaintiff has filed a notice of change of address, however, that indicates he is no longer incarcerated. Different rules and procedures apply to prisoners and non-prisoners applying for *in forma pauperis* status. Accordingly, the plaintiff's pending application to proceed *in forma pauperis* will be denied without prejudice and he will be granted leave to either pay the filing fee or submit another application to proceed *in forma pauperis* on the form for non-prisoners supplied by the Clerk.

Therefore, IT IS this 29th day of September, 2016,

ORDERED that the Clerk shall reopen this case; and it is further

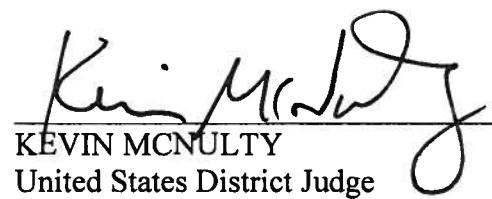
ORDERED that Plaintiff's application to proceed *in forma pauperis* is denied without prejudice; and it is further

ORDERED that the Clerk shall again close the file and administratively terminate this case. Plaintiff is informed that administrative termination is not a "dismissal" for purposes of the statute of limitations, and that if the case is reopened, the original filing date will be considered the relevant date for statute of limitations purposes. And it is further

ORDERED that plaintiff may have the above entitled case reopened, if, within thirty (30) days of the date of the entry of this Order, plaintiff either pre-pays the \$400 filing fee or submits to the Clerk a complete signed *in forma pauperis* application on the non-prisoner form; and it is further

ORDERED that upon receipt of either the filing fee or a completed *in forma pauperis* application within 30 days, the Clerk will be directed to reopen this case; and it is further

ORDERED that the Clerk shall serve on plaintiff by regular U.S. mail: (1) this Order; and (2) a blank form application to proceed *in forma pauperis* by a non-prisoner in a civil rights case.



KEVIN MCNULTY
United States District Judge